

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

**NATIONAL FITNESS CENTER, INC.,
and COURT SOUTH TOTAL
CONDITIONING CLUBS, LLC,**

Plaintiffs,

vs.

**ATLANTA FITNESS d/b/a CUSTOM
BUILT PERSONAL FITNESS, and
STEPHEN DOW, individually,**

Defendants.

No. 3:09-cv-133

(Campbell/Shirley)

ORDER ADOPTING REPORT & RECOMMENDATION

On May 1, 2013, Atlanta Fitness and Stephen Dow filed motions for prejudgment interest and for attorneys fees and costs. (Docket Nos. 106, 108.) The motions were referred to U.S. Magistrate Judge C. Clifford Shirley, Jr. under 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

On October 18, 2013, Magistrate Shirley issued a Report and Recommendation (Docket No. 130) (R&R) in which he recommended that the court grant in part and deny in part the two motions. No party has filed an objection to the R&R.

Under 28 U.S.C. § 636(b)(1), the court hereby ACCEPTS IN WHOLE the proposed findings and recommendations set forth in Judge Shirley's October 18, 2013 Report and

Recommendation (Docket No. 130), and ADOPTS the R&R as the ORDER OF THIS COURT.

DATED this 2nd day of December, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
U.S. District Court Judge